REMARKS

The application has been reviewed in view of the final Office Action dated January 23, 2004. Claims 1-11 are pending in the application, with claims 1, 4-7, 10 and 11 being in independent form. By this Amendment, independent claims 4 and 11 have been amended to clarify the claimed invention, without introducing any new matter or new issues.

Claims 1 and 3-11 were rejected under 35 U.S.C. §102(e) as purportedly anticipated by U.S. Patent No. 6,104,504 to Imai et al. Claims 2 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Imai '504 in view of U.S. Patent No. 5,671,270 to Yoshida.

Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits that independent claims 1, 4-7, 10 and 11 are patentable over the cited art, for at least the following reasons.

The present application relates to facsimile communications operation by a receiving facsimile apparatus using optional frames. As discussed in the Background section of the application, recommendation T-30 of the Group-3 standard for facsimile communications provides for the use of optional frames, but does not require that an optional frame be used and does not define a manner in which the optional frame must be used. While a common specification on the usage of optional frames has been agreed upon and adopted by some manufacturers, other manufacturers (who are not parties to the agreement) produce facsimile machines that do not conform to the common specification of optional frames. A facsimile machine which adheres to the common specification

of optional frames may experience problems communicating using optional frames with a facsimile machine which does not adhere to the common specification.

According to this application, the risks of error in communications by a called facsimile machine with a calling facsimile machine which does not adhere to the common specification of optional frames can be limited by checking **at the called facsimile machine** the **identification information of the calling facsimile machine**. Optional frames are not used by the receiving facsimile machine for facsimile communications with the calling facsimile machine, if the identification information of the calling facsimile machine does not correspond with prestored identification information for the different machines which adopt the common specification of optional frames. On the other hand, if the identification information of the calling facsimile machine corresponds to the prestored identification information, facsimile communications operation using the optional frame is performed by the receiving facsimile machine.

The cited art does not teach or suggest the claimed invention.

Imai, as understood by Applicant, is directed to use by a calling station of a selective polling signal (SEP) under the ITU-T T.30 Additional Recommendations. According to Imai, after a calling station initiates a call to a called station in an exemplary Group-3 facsimile transmission procedure, and the called station in turn transmits a DIS (digital identification signal) to the calling station to identify the communication capabilities of the called station, the calling station transmits a DTC signal along with a SEP signal to designate the polling mode.

The Office Action contends that Imai, including in particular its description of use of polling document sheet numbers, discloses the claimed invention described in independent claims 1, 4-7, 10 and 11.

Applicant respectfully disagrees.

Imai describes assignment of document sheet numbers by a calling station to respective polling document sheets for respective destination stations. A document sheet number is assigned by the calling station when the corresponding polling document sheet is stored. The document sheet number is registered and then used to identify the destination of the corresponding polling document sheet.

However, Applicant does not find a disclosure or suggestion by Imai of performing **at the called station** a number of steps including comparing the **identification information of the calling facsimile machine** with the identification information prestored in the memory, canceling performance of the facsimile communications operation using the optional frame when the identification information of the calling facsimile machine does not correspond with the identification information prestored in the memory, and executing the facsimile communications operation using the optional frame when the identification information of the calling facsimile machine corresponds to the identification information prestored in the memory, as described in claim 1.

Imai simply does not purport to be directed to prestoring at a called station identification information for a plurality of different facsimile machines having common specifications of optional frames, nor comparing the identification information of the calling facsimile machine with the prestored identification information corresponding to

the plurality of different facsimile machines having common specifications of optional frames (in order to confirm whether the calling facsimile machine follows the common specification).

Yoshida does not cure the deficiencies of Imai.

Yoshida, as understood by Applicant, relates to a facsimile communications procedure for transmitting a subaddress signal, a password signal and a selective polling signal. According to Yoshida, the transmitting station transmits a digital transmit command signal to notify the receiving station whether a transmit command signal includes a password signal and a selective polling signal. A digital command signal is used to notify a remote station whether the receive command signal includes a password signal and subaddress signal.

The Office Action states that Yoshida discloses, at column 11, line 6 through column 12, line 64, prestoring identification information for a plurality of different facsimile machines having common specifications of optional frames, and verifying the identification information of a calling facsimile machine with the identification information prestored in the memory.

Applicant disagrees.

According to Yoshida, the receiving side station registers a single password, and a password signal (PWD) is transmitted from a transmitting station to the receiving station. The PWD signal transmitted by the transmitting station must match the single registered password at the receiving station. If the PWD signal does not match the registered password at the receiving station, the receiving station refuses the communication.

Accordingly, it is clear that the password has a security

purpose, and not a purpose of identifying the transmitting station as being one of a plurality of different facsimile machines having common specifications of optional frames.

In addition, Applicant finds no teaching or suggestion in Yoshida that the receiving station stores identification information for a plurality of different facsimile machines. As noted above, the receiving station stores a single password (as a passkey for security purposes). Yoshida does not purport to relate to prestoring identification information for a plurality of different facsimile machines having common specifications of optional frames, nor verifying the identification information of a calling facsimile machine with the prestored identification information corresponding to the plurality of different facsimile machines having common specifications of optional frames (in order to confirm whether the calling facsimile machine follows the common specification).

Applicant finds no disclosure or suggestion by the cited art of a facsimile communication method for performing a facsimile communications operation using an optional frame signal wherein the method includes receiving a call from a calling facsimile machine for a facsimile communications operation using an optional frame and identification information of the calling facsimile machine, comparing the identification information of the calling facsimile machine with the identification information prestored in the memory, canceling performance of the facsimile communications operation using the optional frame when the identification information of the calling facsimile machine does not correspond with the identification information prestored in the memory, and executing the facsimile

communications operation using the optional frame when the identification information of the calling facsimile machine corresponds to the identification information prestored in the memory, as described in independent claim 1.

Since the cited references do not disclose or suggest each and every feature of the claimed invention, they do not render the claimed invention unpatentable.

Independent claims 4-7, 10 and 11 are patentably distinct from the cited art for at least similar reasons.

Accordingly, Applicant respectfully submits that claims 1-11 are allowable, and this application is now in condition for allowance.

The Office is hereby authorized to charge any additional fees that may be required in connection with this response and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Allowance of this application is respectfully requested.

Respectfully submitted,

PAUL TENG, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400